

***Remarks***

Applicant thanks the Examiner for the careful consideration given this application. Reconsideration of this application is requested in view of the above amendments and the following remarks.

Claims 24-39 are now pending in this application, where Claims 24, 30, 34, and 36 are independent claims. Claims 24, 26, 28-31, 34, and 35 have been amended. The amendments to Claims 24, 26, and 28, and 29 are merely to change to preferred wordings. The amendments to Claims 31 and 35 correct an error in each of these claims and express, explicitly, the frequency dependence of the function “NF” (see, e.g., paragraphs 46, 47, and 59 of the specification). Further amendments will be discussed below.

Applicant gratefully acknowledges the allowance of Claims 24-29 and the indication of allowable subject matter in Claims 31 and 35.

At pages 2-3, the Office Action rejects Claim 34 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. In response, Applicant has amended Claims 34 and 35 to be directed to an integrated circuit, rather than to a digital signal processor, and so that Claim 34 includes a digital signal processor, rather than a “digital signal processor core.” It is respectfully submitted that all features of Claim 34, as amended, may be found, e.g., at paragraph 74 of the present specification. Applicants, therefore, request withdrawal of this rejection.

At page 3, the Office Action rejects Claims 30-35 under 35 U.S.C. § 101 as not being directed to patentable subject matter. These rejections are respectfully traversed for at least the following reasons.

Claim 30 has now been amended to be directed to a “digital communications receive unit” that includes “a signal receiving unit to receive a transmitted signal.” It has further been amended to state that “an output of the Nyquist filter is to be used to recover information contained in said transmitted signal.” As such, it is respectfully submitted that Claim 30 has a practical application (to receive transmitted signals) and produces tangible, concrete, and useful results (recovered information). For at least this reason, it is respectfully submitted that Claims 30-33 are allowable and that their respective rejections should be withdrawn.

Claim 34, as amended, is directed to an integrated circuit that contains a memory device and a digital signal processor to be coupled to the memory device. As such, Claim 34 is not directed to a computer program, but rather, Claim 34 is directed to a specific apparatus (an integrated circuit) and should be examined as such. For at least this reason, it is respectfully submitted that the rejections of Claims 34 and 35 should be withdrawn.

Applicant may not have presented all possible arguments or have refuted the characterizations of either the claims or the prior art as found in the Office Action. However, the lack of such arguments or refutations is not intended to act as a waiver of such arguments or as concurrence with such characterizations.

***Conclusion***

Applicants believe that the above amendments and remarks address all of the grounds for objection and rejection and place the application in condition for allowance. Applicants, therefore, respectfully request prompt and favorable consideration of this Amendment and Reply and reconsideration of this application.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

/Jeffrey W. Gluck/

Date: August 29, 2007

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Jeffrey W. Gluck, Ph.D.  
Registration No. 44,457  
Connolly Bove Lodge & Hutz LLP  
1875 Eye Street NW, Suite 1100  
Washington, DC 20006  
Telephone: 202-331-7111  
Direct Dial: 202-572-0322  
Facsimile: 202-293-6229

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CB-560831